

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael W. GRAHAM and Robert N. RICE

Serial No.:

09/646,807

Filing Date:

December 5, 2000

For:

CONTROL OF GENE EXPRESSION

Examiner: D. Sullivan

Group Art Unit: 1636

#20

REVOCATION OF PRIOR POWER OF ATTORNEY AND POWER OF ATTORNEY AND PROSECUTION BY ASSIGNEE UNDER 37 C.F.R. § 3.71

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

BENITEC AUSTRALIA LIMITED, and THE STATE OF QUEENSLAND
THROUGH ITS DEPARTMENT OF PRIMARY INDUSTRIES, the assignees of the entire right, title and interest in this patent application, hereby revoke all Powers of Attorney previously granted relating to this application and appoint as its attorneys or agents, with full power of substitution, association, and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected herewith:

Lisa A. Amii (Reg No. 48,199)
Mehran Arjomand (Reg No. 48,231)
Erwin J. Basinski (Reg No. 34,773)
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£".

David L. Fehrman (Reg No. 28,600) Deborah S. Gladstein (Reg No. 43,636) Bruce D. Grant (Reg No. 47,608) Alicia Hager (Reg No. 44,140) Laurie Hill (Reg No. 51,804) Alan S. Hodes (Reg No. 38,185) Arthur S. Hsieh (Reg No. 48,247) Wayne Jaeschke, Jr. (Reg No. 38,503) Parisa Jorjani (Reg No. 46,813) Richard C. Kim (Reg No. 40,046) Lawrence B. Kong (Reg No. 49,043) Kawai Lau (Reg No. 44,461) Hugh H. Matsubayashi (Reg No. 43,779) Mika Mayer (Reg No. 47,777) Gladys H. Monroy (Reg No. 32,430) Philip A. Morin (Reg No. 45,926) Martin M. Noonen (Reg No. 44,264) Philip Reilly (Reg No. 41,415) Robert Saltzberg (Reg No. 36,910) Debra A. Shetka (Reg No. 33,309) Kevin R. Spivak (Reg No. 43,148) Thomas L. Treffert (Reg No. 48,279) Michael R. Ward (Reg No. 38,651) Todd W. Wight (Reg No. 45,218) David T. Yang (Reg No. 44,415) George C. Yu (Reg No. 44,418) Jie Zhou (Reg No. 52,395)

all of Morrison & Foerster LLP, 425 Market Street, San Francisco, California 94105-2482, telephone: (415) 268-7000, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster LLP as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

Please direct all communications relative to this application to:

Michael R. Ward Morrison & Foerster LLP 425 Market Street San Francisco, California 94105-2482

Please direct all telephone communications to Michael R. Ward at (415) 268-6237.



BENITEC AUSTRALIA LIMITED

an Australian corporation

Dated:

Name: John A. McKinley

Title: Executive Chairman and CEO

Address: P.O. BOX 4193

St. Lucia South, QLD 4067 AUSTRALIA

STATE OF QUEENSLAND THROUGH ITS DEPARTMENT OF PRIMARY INDUSTRIES

Name:

Title:

Address: 80 Ann Street Primary Industries Building

Brisbane, Queensland AUSTRALIA 4067

PTO/SB/96 (08-00)
Approved for us through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Michael W. GRAHAM and Robert N. RICE Application No./Patent No.: 09/646,807 Filed/Issue Date: December 5, 200 Entitled: , CONTROL OF GENE EXPRESSION	0
BENITEC AUSTRALIA, LTD., an Australian corporation and STATE OF QUEENSLAND THR	OUGH ITS
DEPARTMENT OF PRIMARY INDUSTRIES	
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, govern	ment agency, etc.)
states that it is:	
1. X the assignee of the entire right, title, and interest; or	
 an assignee of less than the entire right, title and interest. The extent (by, percentage) of its ownership interest is	
in the patent application/patent identified above by virtue of either:	
A. [X] An assignment from the inventor(s) of the patent application/patent identified above. The arecorded in the United States Patent and Trademark Office on December 5, 2000, at Reel Frame 0325, or for which a copy thereof is attached.	assignment was 011352,
OR .	
B. [] A chain of title from the inventor(s), of the patent application/patent identified above, to the cas shown below:	urrent assignee
To: The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.	
From: To: The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.	
3. From:To:	
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[] Additional documents in the chain of title are listed on a supplemental sheet.	
[X] Copies of assignments or other documents as filed 6/20/03 and/or in the chain of title are [NOTE : A separate copy (i.e., the original assignment document or a true copy of the original obe submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to the records of the USPTO. See MPEP 302.08]	document) must
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. 6/20/03 4:Wael EWOOD	
Date MICHAEL R. WARD (Reg. No.	o. 38,651)
michael Pland	<i>'</i>
Signature	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Docket No: 546322000321

Title: Attorney for Assignee





Attorneys at Law 425 Market Street

San Francisco, California 94105-2482

Telephone: (415) 268-6237 Facsimile: (415) 268-7522



TO: Director of the US Patent and Trademark Office

Facsimile: 703/308-7124

"ASSIGNMENT SERVICE DIVISIONS"

From: Michael R. Ward (Reg. No. 38,651)

Date:

June 20, 2003

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CERTIFICATE OF FACSIMILE TRANSMISSION

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LUIA OLSE

REQUEST TO CORRECT

"NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT"

Atty Docket No: 546322000321

Re: Serial No. 09/646,807 filed December 5, 2000

ENCLOSURES:

- 1) Request for Corrected "Recordation of Assignment Document" 3 pgs
- 2) Copy of original "Notice of Recordation of Assignment Document", with requested corrections indicated - 1 pg
- 3) Replacement Recordation Form Cover Sheet 1 pg
- 4) Assignment 1 pg

Comments: Please make corrections on Notice of Recordation of Assignment Document as indicated.

Michael R. Ward (Reg. No. 38,651)





CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Assignment Services Division, Director of the U.S. Patent and Trademark Office, P. O. BOX 1450, Alexandria, VA 22313-1450 on June 20 2003.

LILLA-OLS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael Wayne GRAHAM and Robert

Norman RICE

Serial No.: 09/646,807

Filing Date: December 5, 2000

For: CONTROL OF GENE EXPRESSION

Examiner: D. Sullivan

Group Art Unit: 1636

REQUEST FOR A CORRECTED

RECORDATION OF ASSIGNMENT DOCUMENT

MAIL STOP: Assignment Recordation Services Director of the US Patent and Trademark Office P.O. BOX 1450 Alexandria, VA 22313-1450

Dear Sir:

Please furnish the undersigned with a corrected RECORDATION OF ASSIGNMENT DOCUMENT for the above-identified application. The corrections needed are as follows:

At ASSIGNEES:

Currently Reads: Benitec Australia, Ltd., only. There are two assignees.



Should read:

Benitec Australia Limited P.O. BOX 4193 St. Lucia South, QLD 4067 AUSTRALIA

and

STATE OF QUEENSLAND THROUGH ITS DEPARTMENT OF PRIMARY INDUSTRIES 80 Ann Street Brisbane, Queensland 4000 AUSTRALIA

At FILING DATE:

Currently reads: blank

Should read: December 5, 2000

A replacement RECORDATION FORM COVER SHEET is attached to correct the inventors' and/or Assignee's name.

A copy of the marked-up RECORDATION OF ASSIGNMENT DOCUMENT is attached in its entirety.

In the unlikely event that the transmittal letter is separated from this request and the Patent Office determines that a fee is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit**



Account No. 03-1952 referencing docket no. 546322000321. However, the Assistant

Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

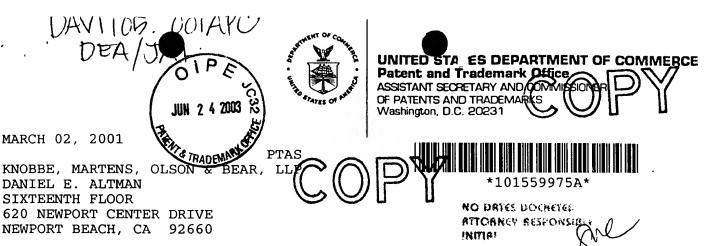
Dated: June 20, 2003

By:

Michael R. Ward Registration No. 38,651

Morrison & Foerster LLP 425 Market Street San Francisco, California 94105-2482

Telephone: (415) 268-6237 Facsimile: (415) 268-7522



UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/05/2000 REEL/FRAME: 011352/0325

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GRAHAM, MICHAEL WAYNE DOC DATE: 10/19/2000

ASSIGNOR:

RICE, ROBERT NORMAN DOC DATE: 10/19/2000

ASSIGNEE:

BENITEC AUSTRALIA, LTD. 62 PITT STREET P.O. BOX 4193 LEVEL 4 ST. LUCIA SOUTH SYDNEY, NSW 2000, AUSTRALIA

QLD 4067

SERIAL NUMBER: 09646807

FILING DATE: 12/05/2000

PATENT NUMBER: ISSUE DATE:

and

STATE OF QUEEN SLAND THROUGH ITS DEPARTMENT OF PRIMARY INDUSTRIES

80 ANN STREET, BRISBANE, QUEENSLAND 4000 AUSTRALIA

SAUNDRA BALLENGER, EXAMINER ASSIGNMENT DIVISION

OFFICE OF PUBLIC RECORDS

TO THE ASSISTANT COMM SIONER FOR PATENTS: Flease

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cocuments o

 Name of conveying party(ies): (If multiple assignors, sst numerically) 	1	Þ
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1) Michael Wayne Graham; 2) Robert Norman Rice JUN 2 4 2003

Additional name(s) of conveying party(ies) attack

Name and address of receiving particles 2.

Name: BENITEC AUSTRALIA Internal Address: Level 4

Street Address: 62 Pitt Street

City: Sydney, NSW 2000 Country: AUSTRALIA

Additional name(s) of receiving party(ies) attached? Yes

()

(X)

- Nature of conveyance:
 - (X) Assignment
 - () Merger
 - Security Agreement
 - Change of Name
 - Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in

1 above) 1) October 19, 2000; 2) October 19, 2000

Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel E. Altman

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

Internal Address: Sixteenth Floor Street Address: 620 Newport Center Drive City: Newport Beach State: CA ZIP: 92660

Total number of applications and patents involved: 1

Attorney's Docket No.: DAVI105.001APC

Application number(s) or Patent number(s):

() Application(s) filed herewith Execution Date(s):

Patent Application No.: 09/646,807 (X) Filing Date: Herewith

() Patent No.: Issue Date:

Additional numbers attached? ()

Yes

(X)

No

7. Total fee (37 CFR 3.41): \$40

(X) Enclosed

0 Authorized to be charged to deposit account

Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

- Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Daniel E. Altman

Name of Person Signing

34,115

Registration No.

Total number of pages including cover sheet, attachments and document: 2

Mail documents to be recorded with required cover sheet information to:

12/21/2000 GTON11

00000213 09646807

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Assistant Commissioner for Patents **Box Assignments** Washington, D.C. 20231

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120100

Application No.: Pending Filing Date: Herewith



PATENT
Client Code: DAVI105.001APC

Page 1

ASSIGNMENT

WHEREAS, We, Michael Wayne Graham, a Australian citizen, residing at 42 Raglan Street, St. Lucia, Queensland 4076, Australia, and Robert Norman Rice, a Australian citizen, residing at 39 Foley Place, Sinnamon Park, Queensland 4073, Australia, have invented certain new and useful improvements in a CONTROL OF GENE EXPRESSION for which we have filed the initial documents for the U.S. National Phase of International Application No. PCT/AU99/00195 on September 20, 2000;

AND WHEREAS, Benitec Australia, Ltd., with its principal place of business at Level 4, 62 Pitt Street, Sydney, NSW 2000, Australia, and the State of Queensland through its Department of Primary Industries (hereinafter "ASSIGNEES"), with its principal place of business at 80 Ann Street, Brisbane, Queensland 4000, Australia, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my har	nd and seal this 19 day of October, 2000			
•	Michael Wayne Graham			
	Comecaffens			
	Witness			
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of Ocholer, 2000				
	Robert Norman Rice			
	FRILECOFIECE			
H:\DOCS\JAH\JAH-3432.DOC:bb	Witness			



U.S. DEPARTMENT OF COMMERCE



PATENT	SONLY Parent and Trademark Office				
To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
Name of conveying party(ies): Michael Wayne GRAHAM Robert Norman RICE	2. Name and address of receiving party(ies): Name: BENITEC AUSTRALIA LIMITED Internal Address: P.O. BOX 4193 St. Lucia South, QLD 4067 AUSTRALIA				
Additional name(s) of conveying party(ies) attached?	Name: STATE OF QUEENSLAND THROUGH ITS DEPARTMENT OF PRIMARY INDUSTRIES Internal Address: 80 Ann Street, Brisbane, Queensland 4000 AUSTRLIA				
4. Application number(s) or patent number(s):	Additional name(s) & address(es) attached? ☐ Yes ☑ No				
If this document is being filed together with a new application, the ex A. Patent Application No.(s) 09/646,807 filed December 5, 2000 Additional numbers attached? * Yes E No	B. Patent No.(s)				
 Name and address of party to whom correspondence concerning document should be mailed: Michael R. Ward Morrison & Foerster LP 425 Market Street San Francisco, California 94105-2482 	6. Total number of applications and patents involved: * 7. Total fee (37 C.F.R. § 3.41): \$40.00 ☐ Enclosed ☐ Authorized to be charged to deposit account, referencing Attorney Docket 546322000321 8. Deposit account number: 03-1952				
The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be					
DO NOT USE					
 Statement and signature. To the best of my knowledge and belief, the foregoing information is document. 					
Mail documents to be recorded with a MAIL STOP: Assignme Director of the US Patent P.O. BO Alexandria, V.	required cover sheet information to: nt Recordation Services t and Trademark Office X 1450				

e a plus sign (+) inside this box →

PTO/SB/21 (08-00)
Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

			Application Number	09/646,80	n unless it displays a valid OMB control number.
	SMITTAL		Filing Date	December 5, 2000	
FORM		First Named Inventor	Michael W. GRAHAM and Robert N. RICE		
		Group Art Unit	1636	1636	
(to be used for all corre	eed for all correspondence after initial filing)		Examiner Name	D. Sullivan	
Total Number Of Pages In T	his Submission	13	Attorney Docket No.	546322000	0321
ENCLOSURES (check all that apply)					
Fee Transmittal Fo	rm - 1 pg IN DUPL		signment Papers an Application)		After Allowance Communication to Group
Fee Attache	ed	Dra	wing(s)		Appeal Communication to Board of Appeals and Interferences
Amendment / Reply	у	Lice	ensing-related Papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final		Pet	ition		Proprietary Information
Affidavits/de	eclarations		ition to Convert to a visional Application		Status Letter
Extension of Time I	Request (2 mos.) -	≯ Pov	wer of Attorney - 3 pgs	×	Other Enclosure(s) (please identify below):
Express Abandonm	nent Request				1) Statement Under 37 CFR 3.73(b) - 1 pg
Information Disclose	ure Statement				2) Courtesy copies of Request to Correct Assignment Documents as filed 6/20/03 - 8 pgs
	_				3) RETURN RECEIPT POSTCARD
		Remarks			
Response to Missin	g Parts/				
Incomplete Applicat Response to under 37 CFF	Missing Parts				
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT					
Firm	Firm Morrison & Foerster LLP				
or Individual Name	AND 1 AP 10				
Signature Wilhael Rhy					
Date					
CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"					
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP: ART UNIT 1636, Commissioner for Patents, P.O. BOX 1456 Alexandria, VA 22313-1450 on June 20, 2003.					

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